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REMARKS/ARGUMENTS

Claims 16-30 are pending in this application. By this Amendment, Applicants amend claims 16-23.

Claims 16-30 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite.

Particularly, the Examiner alleged that "it is unclear in context what is meant by the terms 'ascending-modulation' and 'descending-modulation' in that modulation itself can neither ascend nor descend. Perhaps, Applicants are referring to a sawtooth wave that is used in FM modulators," "it is unclear in context what is meant by the uses of 'projection' and of 'projection portions.' Are these 'projections' or 'projection portions' the same as what is conventionally referred to as peaks in FMCW radar processing," "it is unclear in context what is meant by the use of the words 'inversely calculates,' particularly to the sense to the adverb 'inversely' in this context," "the phrase 'where the frequency difference corresponds to a stationary object' is unclear in context," "the phrase 'on a priority basis' is unclear in context," and "the uses of the word 'high' are indefinite and unclear in context as being a relative term that is used with no level of reference. That is to say, it is unclear in context how high 'high' is."

The Examiner is reminded that Applicants can be their own lexicographer. See M.P.E.P. § 2111.01.

The feature of the "ascending-modulation section" is clearly and specifically defined in the specification to mean a section of a triangular wave in which the frequency is ascending, and the feature of the "descending-modulation section" is clearly and specifically defined in the specification to mean a section of a triangular wave in which the frequency is descending (see, for example, Fig. 2 and the paragraph bridging pages 10 and 11 of the originally filed specification). In addition, claim 1 itself defines "an ascending-modulation section" as a section "where a frequency gradually increases," and defines "a descending-modulation section" as a section "where the frequency gradually decreases." Thus, Applicants respectfully submit that the terms "ascending-modulation" and "descending-modulation" are clear and definite.

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As assumed by the Examiner, "projection" and "projection portions" recited in Claim 16 mean peaks in FM-CW radar processing. The projection portions are clearly shown in Fig. 4 and described on pages 12 and 13 of the originally filed specification. Accordingly, Applicants respectfully submit that the terms "projection" and "projection portions" are clear and definite, and mean peaks in FM-CW radar processing.

The term "inversely calculates" has been changed to "calculates." Thus, Applicants respectfully submit that the term "calculates" is clear and definite.

Claims 16 has been amended to recite that "the frequency difference corresponds to the relative speed between the moving object having the radar mounted thereon and a stationary object." Applicants respectfully submit that this recitation clearly and definitely recites that the frequency difference corresponds to the relative speed between the moving object having the radar mounted thereon and a stationary objection.

Claim 16-23 have been amended to remove the phrase "on a priority basis," and have been further amended to more clearly set forth the features recited therein.

Claims 17-23 have been amended to provide a level of reference for the term "higher".

Accordingly, Applicants respectfully submit that claims 16-30 are clear and definite, and thus, respectfully request reconsideration and withdrawal of the rejection of claims 16-30 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Claims 16-30 are allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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